

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

vs.

CASE NO. 3:97CR00020-001 (PG)

JOSE A. RIVERA-RIVERA

SUPPLEMENT TO THE MOTION FILED ON OCTOBER 25, 2004

TO THE HONORABLE JUAN M. PEREZ-GIMENEZ
U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO

COMES NOW, LUZ ENID APONTE, U.S. PROBATION OFFICER of this Court,
respectively informing as follows:

On October 25, 2004, a motion was filed notifying of the offender's arrest by the local authorities for the violation of the Articles 5.04 and 6.01 of the Puerto Rico Firearms Laws and Articles. 131 and 173 of the Puerto Rico Penal Code. On January 25, 2005, a letter, dated December 31, 2004, was received from the Commonwealth of Puerto Rico Department of Justice, General Attorney's Office, which reflected that the charges against the offender were not going to be filed since the federal authorities wanted to pursue jurisdiction over the new charges.

In addition to the violations reported in the motion filed on October 25, 2005, the offender has also violated the following condition:

1. STANDARD CONDITION NO. 9 - "THE DEFENDANT SHALL NOT ASSOCIATE WITH ANY PERSONS ENGAGED IN CRIMINAL ACTIVITY, AND SHALL NOT ASSOCIATE WITH ANY PERSON CONVICTED OF A FELONY UNLESS GRANTED PERMISSION TO DO SO BY THE PROBATION OFFICER".

The offender's new criminal behavior was committed in the company of one of his co-defendants, Mr. Ramon Sanchez-Rosado, who is also an offender under our supervision.

WHEREFORE, I declare under penalty of perjury that the foregoing is true and correct. Unless the court rules otherwise, it is respectfully requested that the original motion filed be supplemented with the information contained in this report.

In San Juan, Puerto Rico, this 1st day of February 2005.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Luz E. Aponte
Luz E. Aponte
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CERTIFICATE OF SERVICE

I HEREBY certify that on February 1, 2005, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:
Warren Vázquez, Assistant U.S. Attorney and Juanita Treviño, Esq.

In San Juan, Puerto Rico, this 1st day of February 2005.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Luz E. Aponte

Luz E. Aponte

U.S. Probation Officer

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LEA/